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EXAMINER

WASSUM, LUKE S

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 10/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/188,492

Applicant(s)

BAE, SEONGHO

Examiner

Luke S. Wassum

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### Response to Amendment

1. Receipt of applicant's amendment, filed 15 July 2002, is acknowledged.
2. As a result of the amendment, claims 4, 8 and 18 have been amended. Claims 1-20 are now presented for examination.

### Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

4. Claims 1-4, 6-9 and 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by

**Pollard et al.** (U.S. Patent 6,256,624).

5. Regarding claims 1, 6 and 16, **Pollard et al.** teaches a data processing environment and apparatus as claimed, comprising:

- a) a user terminal for permitting a user to view a report (see discussion of the delivery of information reports via Internet communication services, col. 1, lines 44-46 and col. 4, lines 63-66);

- b) a publicly accessible digital communications network coupled to said user terminal (see discussion of the delivery of information reports via Internet communication services, col. 1, lines 44-46 and col. 4, lines 63-66);
- c) a server responsively coupled to said user terminal via said publicly accessible digital communications network (see delivery system 190 in Figure 1; see also col. 11, lines 43-50);
- d) a database management system which automatically generates said report in response to a predetermined signal not initiated by said user terminal responsively coupled to said server (see col. 6, lines 10-35); and
- e) an administrative module within said server which spools said report for later electronic delivery to said terminal at a predetermined time (see discussion of the scheduler, col. 8, lines 11-46; see also col. 13, line 53 through col. 14, line 42).

6. Regarding claims 2 and 7, **Pollard et al.** additionally teaches a data processing environment and apparatus wherein said server electronically delivers said report to a plurality of user terminals (see discussion of the delivery of information reports via Internet communication services, col. 1, lines 44-46 and col. 4, lines 63-66; see also col. 1, lines 18-32).

7. Regarding claim 4, 8 and 18, **Pollard et al.** additionally teaches a data processing environment and apparatus further comprising a repository for storing said report for later electronic delivery to said plurality of user terminals (see report output file 122 in Figure 1; see also col. 4, lines 63-66; see also col. 12, lines 44-46).

8. Regarding claims 3, 9 and 17, **Pollard et al.** additionally teaches a data processing environment and apparatus wherein said publicly accessible digital communications network is the World Wide Web (see discussion of the delivery of information reports via Internet communication services, col. 1, lines 44-46 and col. 4, lines 63-66).

9. Claims 11-14 are rejected under 35 U.S.C. 102(e) as being anticipated by **Geerlings** (U.S. Patent 5,956,693).

10. Regarding claim 11, **Geerlings** teaches a method of communicating between a user terminal and a database management system substantially as claimed, comprising:

- a) automatically generating a report by said database management system in response to a sensed signal at a first predetermined time (see col. 3, lines 10-12; see also col. 5, lines 32-67);
- b) converting said report into an HTML display page (see disclosure that web pages are a possible delivery mechanism, col. 2, lines 30-50, and col. 5, lines 32-67; see also col. 15, line 40 through col. 16, line 12);
- c) spooling said HTML display page within a repository (see disclosure that web pages are a possible delivery mechanism, col. 2, lines 30-50, and col. 5, lines 24-32; see also col. 15, line 40 through col. 16, line 12; see also col. 5, lines 32-67);
- d) making a service request from said user terminal to said database management system (see col. 2, lines 26-27); and
- c) transmitting said HTML display page from said database management system to said user terminal at a second predetermined time (see disclosure that web pages are a possible

delivery mechanism, col. 2, lines 30-50, and col. 5, lines 24-32; see also col. 15, line 40 through col. 16, line 12; see also col. 5, lines 32-67).

11. Regarding claim 12, **Geerlings** additionally teaches a method wherein said user terminal comprises an industry compatible personal computer (see disclosure that web pages are a possible delivery mechanism, col. 2, lines 30-50, and col. 5, lines 24-32; see also col. 15, line 40 through col. 16, line 12).

12. Regarding claim 13, **Geerlings** additionally teaches a method further comprising a plurality of user terminals (see disclosure that web pages are a possible delivery mechanism, col. 2, lines 30-50, and col. 5, lines 24-32; see also col. 15, line 40 through col. 16, line 12).

13. Regarding claim 14, **Geerlings** additionally teaches a method wherein said transmitting step further comprises transmitting over the World Wide Web (see disclosure that web pages are a possible delivery mechanism, col. 2, lines 30-50, and col. 5, lines 24-32; see also col. 15, line 40 through col. 16, line 12).

#### **Claim Rejections - 35 USC § 103**

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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15. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Pollard et al.** (U.S. Patent 6,256,624) as applied to claims 1-4, 6-9 and 16-18 above, and further in view of **Geerlings** (U.S. Patent 5,956,693).

16. Regarding claim 10, **Pollard et al.** teaches a data processing environment and apparatus substantially as claimed.

**Pollard et al.** does not explicitly teach a data processing environment and apparatus wherein said user terminal is an industry compatible personal computer having a web browser.

**Geerlings**, however, teaches a data processing environment and apparatus for automatic report delivery, wherein said user terminal is an industry compatible personal computer having a web browser (see disclosure that web pages are a possible delivery mechanism, col. 2, lines 30-50, and col. 5, lines 24-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention to prepare reports to be delivered to a user terminal comprising an industry compatible personal computer having a web browser, since by definition such computers are ubiquitous within the computer art, and as such it would have been obvious to prepare reports that were capable of being received and displayed on such machines.

17. Claims 5 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Pollard et al.** (U.S. Patent 6,256,624) as applied to claims 1-4, 6-9 and 16-18 above, and further in view of **Admission** (Admitted Prior Art).

18. Regarding claims 5 and 19, **Pollard et al.** teaches a data processing system substantially as claimed.

**Pollard et al.** does not teach a data processing system wherein said generating means further comprises CLASSIC MAPPER database management system.

**Admission**, however, teaches the CLASSIC MAPPER database management system (see applicant's specification [as amended], page 4, lines 7-13).

It would have been obvious to one of ordinary skill at the time of the invention to incorporate the CLASSIC MAPPER database management system, since it is admitted as prior art that CLASSIC MAPPER is one of the most successful database management systems (see page 4, lines 9-12).

19. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Pollard et al.** (U.S. Patent 6,256,624) in view of **Admission** (Admitted Prior Art) as applied to claims 5 and 19 above, and further in view of **Geerlings** (U.S. Patent 5,956,693).



20. Regarding claim 20, **Pollard et al.** and **Admission** teach a data processing environment and apparatus substantially as claimed.

Neither **Pollard et al.** nor **Admission** explicitly teaches a data processing environment and apparatus wherein said user terminal is an industry compatible personal computer having a web browser.

**Geerlings**, however, teaches a data processing environment and apparatus for automatic report delivery, wherein said user terminal is an industry compatible personal computer having a web browser (see disclosure that web pages are a possible delivery mechanism, col. 2, lines 30-50, and col. 5, lines 24-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention to prepare reports to be delivered to a user terminal comprising an industry compatible personal computer having a web browser, since by definition such computers are ubiquitous within the computer art, and as such it would have been obvious to prepare reports that were capable of being received and displayed on such machines.

21. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Geerlings** (U.S. Patent 5,956,693) as applied to claims 11-14 above, and further in view of **Admission** (Admitted Prior Art).

22. Regarding claim 15, **Geerlings** teaches a data processing system substantially as claimed.

**Geerlings** does not teach a data processing system wherein said generating means further comprises CLASSIC MAPPER database management system.

**Admission**, however, teaches the CLASSIC MAPPER database management system (see applicant's specification [as amended], page 4, lines 7-13).

It would have been obvious to one of ordinary skill at the time of the invention to incorporate the CLASSIC MAPPER database management system, since it is admitted as prior art that CLASSIC MAPPER is one of the most successful database management systems (see page 4, lines 9-12).

### **Response to Arguments**

23. Applicant's arguments filed 15 July 2002 have been fully considered but they are not persuasive.

24. Regarding the applicant's arguments that the rejection of claim 1 in view of the **Pollard et al.** reference is improper, the examiner respectfully points out the following facts:

1. The reference teaches at col. 4, lines 63-66, that "Information reports may be delivered through various delivery systems, including Internet communication services, private parcel delivery services, and the U.S. Postal Service." The citation of Internet communication services as a delivery system clearly teaches that the Internet itself is used as a delivery system.

2. The existence of a plurality of user terminals is inherent in a system that uses the Internet as a delivery system for reports.

3. It is the examiner's view that the entire system (computer system 110, report production facility 160, and delivery system 190), together constitute 'the server' in the embodiment of the system where the Internet is used for distribution of the reports. In the embodiment of the system whereby hardcopy reports are generated and delivered via (for instance) the U.S. Postal service, the three systems are of necessity separate (the assembly of the data into a report in computer system 110, the printing of the reports at the report production facility 160, and the delivery from the delivery system 190). However, in the embodiment of the system where data is formatted into electronic reports that are transmitted to the recipients electronically, all three systems collectively constitute the claimed 'server'.

In the rejection, the delivery system 190 is indicated as the 'server responsively coupled to said user terminal...' since delivery system 190 is the mechanism for report delivery, and so would necessarily be the point at which the server were responsively coupled to said user terminal as claimed, given the embodiment of the system whereby reports are delivered via the Internet.

25. Regarding the applicant's argument that the electronic transmission of reports is not inherent in Internet communication services, the examiner respectfully points out that at col. 4, lines 63-66, **Pollard et al.** teaches that "Information reports may be delivered through various delivery systems, including Internet communication services, private parcel delivery services, and the U.S. Postal Service." Given that Internet communication services are listed as another method of report delivery in addition to private parcel delivery services and the U.S. Postal Service, the examiner believes that electronic delivery via the Internet is in fact inherent in the disclosure.

26. Regarding the applicant's argument that the **Geerlings** reference fails to teach the automatic generation of a report by a database management system, the examiner respectfully points out that these features are taught at col. 5, lines 32-67.

27. Regarding the applicant's argument that the **Geerlings** reference fails to teach the conversion of a report to HTML, the examiner respectfully points out that the reference teaches delivery of the reports via a web page, col. 2, lines 30-50, and furthermore at col. 15, lines 40-59 that the merchant formats his home page with topic selections and links (e.g. Hypertext HTML technology).

28. Furthermore, the examiner respectfully points out that distribution via a web page necessarily involves the spooling of the HTML display page to a web server repository, and that said web page would be retrievable via a request by the user.

In addition, the reference teaches that the report can be transmitted as an electronic data attachment (see col. 2, lines 37-41) and that the attachments can be downloaded or otherwise transmitted upon receipt of a print request (see col. 2, lines 48-50).

29. In response to the applicant's argument that there is lack of motivation for the combination of references in the rejection of claim 10, the examiner points out that (as stated in the rejection), the use of an *industry standard computer* would be desirable by definition, since a user would wish to use a computer that is compatible with other computers so that communication between them is possible, and furthermore so that there is a wide variety of compatible hardware and software available.

30. In response to the applicant's argument that there is a lack of motivation for combining the references of claims 5, 15, 19 and 20, the examiner respectfully points out that the motivation to utilize the CLASSIC MAPPER database management system comes directly from the fact that the applicant's admitted prior art teaches that CLASSIC MAPPER is one of the most successful database management systems.

The prior art used in the rejections cite systems for preparing reports through the use of a database management system. The applicant's admitted prior art teaches that CLASSIC MAPPER is one of the most successful database management systems. The examiner believes that this is sufficient motivation to use the CLASSIC MAPPER database management system.

First of all, demonstrated commercial success implies that the product has features that are advantageous over competing products. (else why would people buy it?) Furthermore, the desire to make one's system compatible with others would additionally provide motivation for one to choose a database management product that has a wide commercial success, since this necessarily means that many other systems also employ the same database management product, and thus compatibility with other systems is enhanced.

### Conclusion

31. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the

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THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luke S. Wassum whose telephone number is 703-305-5706. The examiner can normally be reached on Monday-Friday 8:30-5:30, alternate Fridays off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 703-305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

In addition, INFORMAL or DRAFT communications may be faxed directly to the examiner at 703-746-5658.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

  
Luke S. Wassum  
Art Unit 2177

lsw  
October 7, 2002

  
JEAN R. HOMERE  
PRIMARY EXAMINER